

Express Mail No. EL530114756US
Atty. Docket No. GRA31 P-303

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nirmal K. Sinha; Meena Sinha; Danielle J. Starlin

For : PROCESS FOR CONVERTING BRINED SWEET CHERRIES INTO
SWEETENED DRIED RED TART CHERRY-LIKE PRODUCTS AND
STABILIZED BLACK CHERRY-LIKE PRODUCTS

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)

Pursuant to 37 CFR §§1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of the listed documents are submitted herewith along with Form PTO-1449. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

Based upon the English language abstract, Applicants believe JP 60078536 discloses raw fruit with high sugar content obtained by freezing a raw fruit quickly and immersing it in a solution having controlled sugar content and pH.

Based upon the English language abstract, Applicants believe that FR 2730606 discloses the preparation of dried cherries from acidic varieties not naturally of use in pastries by using fresh or frozen Morello type and "Oblachinks" variety cherries, immersing the cherries in a sugar syrup for between 24 hours and 4 days, drying the impregnated cherries in dry, lukewarm air current for 10-48 hours, and packing the cherries and storing at room temperature.

Lastly, based upon the English language abstract, Applicants believe that JP 57054553 discloses frozen cherries having the luster, color, and flavor of natural cherries retained intact

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without discoloration in thawing, by immersing cherries in an aqueous solution of sucrose or fructose having a saccharide content (Bx indication) of about 14-45 degrees at a pH of about 2.8 and a temperature of 70°C or above, taken out of solution and then quickly frozen.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that all of the listed documents are material or constitutes "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 16-2463.

Respectfully submitted,

NIRMAL K. SINHA et al.

By: Price, Heneveld, Cooper,
DeWitt & Litton

Date

7/22/2003

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)									ATTY. DOCKET NO.	SERIAL NO.
									GRA31 P-303	
									APPLICANT(S) Nirmal K. Sinha, et al.	
									FILING DATE	GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	2	7	8	8	2	8	1	04/09/57	Guadagni			
	3	8	0	0	0	4	9	03/26/74	Larroche, et al.			
	4	1	1	5	5	9	5	09/19/78	Jordan			
	4	3	5	0	7	1	1	09/21/82	Kahn, et al.			
	4	7	7	8	0	7	2	11/29/88	Kawamura			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLA-TION
												Y N
	2	7	3	0	6	0	6	08/23/96	France			X
	5	7	0	5	4	5	5	04/01/82	Japan			X
	6	0	0	7	8	5	3	05/04/85	Japan			X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL									
	G.M. Sapers, Color Characteristics and Stability of Non-Bleeding Cocktail Cherries Dyed with Carotenoid Pigments, J. Food Science, Volume 59. No. 1 pp. 135-138, 1994								
	Warner, et al., An Update on Regulatory Status and Methodologies, Food and Testing Analysis, Volume 6, No. 4 pp.8-14, August/September 2000								

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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		5	0	1	9	4	0	5	05/28/91	Sapers			
		5	5	2	5	3	6	5	06/11/96	Elankovan			
		6	1	5	9	5	2	7	12/12/00	Wettlaufer			
		6	2	5	4	9	1	9	07/03/01	Phillips			
		6	4	7	9	0	9	2	11/12/02	Wettlaufer			

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												Y N

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